

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ESTATE OF MICHAEL
WONDERCHECK, BY BETH
WONDERCHECK, PERSONAL
REPRESENTATIVE,

Plaintiff,

v.

STATE OF NEBRASKA, JOHN DOE,
INDIVIDUALLY AND IN HIS
CAPACITY AS STATE TROOPER
OF THE NEBRASKA STATE
PATROL; CITY OF GERING,
CITY OF BAYARD, AND SCOTTS
BLUFF COUNTY; JAMES JACKSON,
INDIVIDUALLY AND IN HIS
CAPACITY AS A POLICE OFFICER
FOR THE CITY OF GERING;
KRIS STILL, TRENT ZWICKL,
MARK BLISS, AND DEPUTY
PERKINS, IN THEIR INDIVIDUAL
AND OFFICIAL CAPACITIES AS
DEPUTIES FOR SCOTTS BLUFF
COUNTY; Z. DOUGLASS,
INDIVIDUALLY AND IN HIS
CAPACITY AS POLICE OFFICER
FOR THE CITY OF BAYARD, NE.,

Defendants.

4:06CV3087

**MEMORANDUM
AND ORDER**

On May 7, 2007, Magistrate Judge Piester entered an order granting the plaintiff's counsel leave to withdraw, giving the plaintiff thirty days to respond to the order, and extending the time for the plaintiff to respond to the one motion for summary judgment then pending. (Filing 84.) The Scotts Bluff County defendants

have filed a “Rule 72(a) Objection” to that portion of the May 7, 2007 order suggesting that the plaintiff may proceed without counsel. (Filing 90.) Construing the “objection” as a motion for reconsideration, I will refer the motion to Judge Piester. Upon reconsideration, I direct the attention of Judge Piester to McCaslin ex rel. McCaslin v. Radcliff, 168 F.R.D. 249, 255-56 (D. Neb. 1996) (nonlawyer mother acting as guardian ad litem for son could not function as lawyer for son).

Motions for summary judgment (filings 81, 85, 86) were also filed on May 7, 2007. Additional documents may be filed before the withdrawal of the plaintiff’s counsel becomes effective. I will direct the Clerk of the court to mail to the plaintiff copies of all court filings made during the period from May 7, 2007 to the time, if any, the withdrawal of the plaintiff’s counsel becomes effective. I will also extend the time for the plaintiff to respond to the May 7 motions for summary judgment to June 8, 2007.

Accordingly,

IT IS ORDERED:

1. Construing the motion in filing 90 as a motion for reconsideration, that motion is referred to Magistrate Judge Piester;
2. The Clerk of the Court shall mail copies of all documents electronically filed in this case during the period from May 7, 2007 until the time, if any, that the withdrawal of counsel for plaintiff becomes effective to:

Beth Wondercheck
150322 Spring Creek Rd.
Mitchell, NE 69357; and

3. The date for the plaintiff's responses to the motions for summary judgment filed on May 7, 2007 (filings 81, 85, & 86) is extended to June 8, 2007.

May 9, 2007.

BY THE COURT:

s/Richard G. Kopf
United States District Judge